

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

MARK ELLIOTT,

Plaintiff,

No. C 10-01495 JSW

v.

ADKNOWLEDGE, INC.,

Defendant.

**ORDER RE MOTION FOR  
SUMMARY JUDGMENT AND  
MOTION TO SUPPLEMENT  
EVIDENCE**

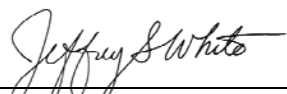
Now before the Court are the parties' cross-motions for summary and Plaintiff Mark Elliott's motion to supplement the evidence submitted in opposition to Defendant Adknowledge, Inc.'s motion for summary judgment. In light of the recent filing, the Court VACATES the hearing date on the motions for summary judgment set for May 27, 2011.

The Court ORDERS Defendant to respond to the recent motion to supplement the record by no later than June 3, 2011. Plaintiff shall file a reply, if any, by no later than June 10, 2011. The briefs shall be limited to 15 pages and shall address only the recently submitted evidence as it effects the pending motions for summary judgment.

If the Court deems a hearing necessary, it shall reset a hearing on the motions by separate order.

**IT IS SO ORDERED.**

Dated: May 26, 2011

  
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JEFFREY S. WHITE  
UNITED STATES DISTRICT JUDGE